

Maine Revised Statutes

Title 12: CONSERVATION

Chapter 915: HUNTING: SEASONS, REQUIREMENTS AND RESTRICTIONS

§11152. ANTLERLESS DEER; REGULATION AND AUTHORITY TO ISSUE PERMITS

1. Permit required. Except as otherwise authorized pursuant to this Part, a person may not hunt antlerless deer as authorized in this section unless that person has a valid permit issued under this section.

A. Each day a person violates this subsection that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed. [2007, c. 463, §3 (AMD) .]

B. [2007, c. 463, §3 (RP) .]

[2007, c. 463, §3 (AMD) .]

1-A. Antlerless deer in wildlife management districts with no permits issued. Except as otherwise provided in this Part, a person may not hunt or possess an antlerless deer in a wildlife management district that does not have permits issued. A person may possess in one of those districts an antlerless deer that has been lawfully registered in another district where permits have been issued.

A person that violates this subsection commits a Class D crime for which a minimum fine of \$1,000 must be imposed, and the court shall impose a sentencing alternative involving a term of imprisonment of at least 3 days, none of which may be suspended.

[2011, c. 253, §18 (AMD) .]

2. Authority to regulate taking of antlerless deer. The commissioner may regulate the taking of antlerless deer within an area of the State as necessary to maintain deer populations in balance with available habitat if the demarcation of each area follows recognizable physical boundaries such as rivers, roads and railroad rights-of-way. This subsection does not apply to a person with a special antlerless deer permit under subsection 7.

A. [2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 655, Pt. B, §120 (RP) .]

B. [2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 655, Pt. B, §120 (RP) .]

[2005, c. 142, §1 (AMD) .]

3. Rulemaking. The commissioner may adopt rules necessary for the administration, implementation, enforcement and interpretation of this section, except that the commissioner is not authorized to establish an antlerless deer permit system unless otherwise specified in this section. The commissioner may appoint clerks or agents under section 10801 to process applications for permits issued under this section. A clerk or agent appointed by the commissioner to process applications shall charge a fee of \$2 for each application processed by that clerk or agent under this section. Rules adopted by the commissioner that provide for permits to be issued to nonresident or alien hunters must provide that:

A. [2011, c. 533, §3 (RP) .]

B. No more than 15% of the antlerless deer permits issued in any one district or in any one zone may be issued to nonresident and alien hunters. [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[2011, c. 533, §3 (AMD) .]

4. Landowner consideration. An antlerless deer permit system adopted by the commissioner pursuant to this section may include a provision giving special consideration to landowners who keep their lands open to hunting by the public. As part of the special consideration to those landowners, the commissioner shall provide at least 25% of the available antlerless deer permits in a wildlife management district to eligible landowners that apply for an antlerless deer permit in that district. Any 2 or more areas of land owned by the same person that are open for hunting and that would be contiguous except for being divided by one or more roads are considered contiguous for the purposes of determining landowner eligibility for special consideration under this subsection.

[2007, c. 492, §4 (AMD) .]

5. Hunter permit transfers. A resident may take an antlerless deer if another resident who holds a valid antlerless deer permit transfers the permit to that resident by identifying the name and address of the transferee on the permit as well as any other information reasonably requested by the commissioner and then returns the permit to the department prior to the start of the firearm season on deer. A nonresident may take an antlerless deer if another nonresident who holds a valid antlerless deer permit transfers the permit to that nonresident by identifying the name and address of the transferee on the permit as well as any other information reasonably requested by the commissioner and then returns the permit to the department prior to the start of the firearm season on deer. The commissioner shall record a transfer under this subsection and return the permit to the transferee. A valid permit must be in the possession of the transferee in order for the transferee to take an antlerless deer.

[2015, c. 1, §7 (COR) .]

5-A. Permit transfer to junior hunter. Notwithstanding subsection 5, a junior hunter may take an antlerless deer if another person who is 18 years of age or older and holds a valid antlerless deer permit transfers that permit to that junior hunter by identifying the name and address of the transferee on the permit as well as any other information reasonably requested by the commissioner and then returns the permit to the department at least 48 hours prior to the junior hunter's hunting antlerless deer. Upon transfer of the antlerless deer permit to a junior hunter, the transferor may not hunt an antlerless deer pursuant to the transferred permit but remains eligible, unless otherwise prohibited, to take a deer other than an antlerless deer in accordance with this Part.

The commissioner shall record a transfer under this subsection and return the permit to the transferee. A valid permit must be in the possession of the transferee in order for the transferee to take an antlerless deer.

[2015, c. 219, §1 (NEW) .]

6. Transfer of antlerless deer permit to person with ambulatory disabilities.

[2013, c. 322, §2 (RP) .]

7. Special antlerless deer permit. The commissioner shall issue a special antlerless deer permit to an eligible person who has lost all or part of one or more lower limbs, not including a partial foot amputation, or is suffering from the permanent loss of use of both lower limbs. The commissioner shall issue a permit upon application and after the applicant verifies that person's ambulatory disability with a letter signed by a

physician confirming the person's condition. A person who is issued a special antlerless deer permit under this subsection may take an antlerless deer in any part of the State open to the taking of antlerless deer pursuant to subsection 3.

[2013, c. 538, §23 (AMD) .]

8. Junior hunter consideration. An antlerless deer permit system adopted by the commissioner pursuant to this section may include a provision giving special consideration to persons with a valid junior hunting license. As part of the special consideration to junior hunters, the commissioner shall provide at least 25% of the available antlerless deer permits in a wildlife management district to persons with a valid junior hunting license who apply for an antlerless deer permit in that district.

[2013, c. 213, §3 (NEW) .]

SECTION HISTORY

2003, c. 414, §A2 (NEW). 2003, c. 414, §D7 (AFF). 2003, c. 614, §9 (AFF). 2003, c. 655, §§B119-123 (AMD). 2003, c. 655, §B422 (AFF). 2005, c. 142, §§1,2 (AMD). 2005, c. 477, §5 (AMD). 2007, c. 463, §§3, 4 (AMD). 2007, c. 492, §4 (AMD). 2009, c. 186, §3 (AMD). 2011, c. 253, §18 (AMD). 2011, c. 533, §§3, 4 (AMD). 2013, c. 213, §3 (AMD). 2013, c. 322, §§1, 2 (AMD). 2013, c. 408, §13 (AMD). 2013, c. 538, §23 (AMD). RR 2015, c. 1, §7 (COR). 2015, c. 219, §1 (AMD).

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